

Application No. 09/833,465
Reply to Office Action dated July 15, 2004

REMARKS

Claims 22-25 and 27-35 are presented for further examination. Claims 1-21 and 26 have been canceled, and claims 22, 27 and 30 have been amended.

In the final Office Action mailed July 15, 2004, claims 1, 8, 16 and 22 were rejected under 35 U.S.C. § 112, first paragraph, because the words "concurrently" or "simultaneously" were not disclosed in the specification. The foregoing amendment has overcome this rejection inasmuch as claims 1, 8, and 16 have been canceled, and claim 22 has been amended to delete "simultaneously." Although applicants respectfully disagree with the basis for this rejection, this particular limitation is deemed not necessary for patentability.

Claims 1-2 and 4-7 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,874,902 ("Heinrich et al.") in view of U.S. Patent No. 6,317,028 ("Valiulis"). Claims 3, 22-23, and 25-28 were rejected as obvious over Heinrich et al. in view Valiulis, and further in view of U.S. Patent No. 4,914,735 ("Ichiyoshi"). Claim 13 was rejected as obvious over Heinrich et al., Valiulis, and Ichiyoshi and further in view of U.S. Patent No. 6,181,248 ("Fockens"). Claims 8, 9-12, 14-16, 19, and 21 were rejected as obvious over Heinrich et al. in view of Valiulis and Ichiyoshi. Claims 17-18 and 20 were rejected as obvious over Heinrich et al. in view of Valiulis and Ichiyoshi. Claims 24 and 29 were rejected as obvious over Heinrich et al. in view of Valiulis and Ichiyoshi and further in view of U.S. Patent No. 6,412,207 ("Crye et al."). Claims 30-35 were rejected as obvious over Heinrich et al. in view of Valiulis and Ichiyoshi and further in view of Crye et al.

Applicants respectfully disagree with the bases for the rejections and request reconsideration and further examination of the claims.

In one embodiment of the invention, a radio frequency identification and control system for tracking and controlling an operable object is provided. The system includes a receiver circuit formed inside the operable object and configured to receive on different frequencies the interrogation signals and the control signals and return a modulated radio frequency signal by continuous wave backscatter in response thereto. The invention further includes an antenna as part of the receiver circuit, wherein at least a portion of the antenna comprises the operable object. In addition, the receiver circuit is configured in another

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embodiment to render the receiver circuit and the object permanently inoperable in response to the disable signal. In accordance with another aspect of the invention, the object can be a weapon.

Claim 22 is directed to a radio frequency identification and control system for tracking and controlling an operable object in response to interrogation and control signals from a remote radio frequency identification interrogator. Claim 22 recites the system as comprising a receiver circuit formed inside the operable object and configured to receive on different frequencies the interrogation signals and the control signals and to return a modulated radio frequency signal by continuous wave backscatter in response thereto. Claim 22 further recites the receiver circuit adapted to render the object inoperable in response to the disable signal, and the receiver circuit having a receiving antenna that at least a portion of which comprises the operable object. Applicants can find no teaching or suggestion in Heinrich et al., Valiulis, Ichiyoshi, Fockens, or Crye et al., taken alone or in any combination thereof that teaches or suggests the combination recited in claim 22. For example, none of these references teach or suggest the receiver circuit comprising a receiving antenna that at least a portion of which comprises the operable object. Applicants further submit that no new search is necessary inasmuch as this limitation was found in previous dependent claim 26, which has now been canceled. In view of the foregoing, applicants submit that claim 22 is clearly allowable.

Dependent claims 23-25 and 27-29 are directed to additional embodiments that are allowable in their own right as well as for the reasons why claim 22 is allowable. For example, claim 23, which depends from claim 22, recites the receiver circuit configured to render the receiver circuit and the object permanently inoperable in response to the disable signal. There is no teaching or suggestion in any of the references cited by the Examiner for rendering both the receiver circuit and the object permanently inoperable in response to the disable signal.

Independent claim 30 is directed to a radio frequency identification and control system that comprises a weapon and a radio frequency identification device formed internal to the weapon and coupled to the weapon, the RFID device comprising an antenna that at least a portion of which is formed by the weapon, and the RFID device configured to return a

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modulated continuous wave backscatter radio frequency signal in response to remote interrogation signals received at a first frequency and to control operation of the weapon in response to remote control signals received by the second frequency. Applicants respectfully submit that independent claim 30 and dependent claims 31-35 are allowable for the reasons discussed above with respect to claim 22, *i.e.*, that none of the references taken alone or in any combination thereof teach or suggest an antenna that at least a portion of which is formed by the weapon.

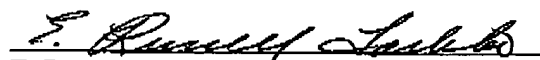
In view of the foregoing, applicants respectfully submit that all of the claims remaining in this application are clearly in condition for allowance. In the event the Examiner finds minor informalities that can be resolved by telephone conference, the Examiner is urged to contact applicants' undersigned representative by telephone at (206) 622-4900 in order to expeditiously resolve prosecution of this application.

Consequently, early and favorable action allowing these claims and passing this case to issuance is respectfully solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

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